IN THE CLAIMS

Please amend the claims as follows:

1. (Previously Presented) A method for allocating a network resource to a data path having a predetermined priority, comprising:

selecting a network path having sufficient network resource available;

allocating the network resource to the data path when the selected network path has an acceptable cost; and

taking network resource from a network path having a priority lower than the predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

2. (Original) The method of claim 1, wherein the network resource comprises bandwidth.

3-4. (Canceled)

5. (Previously Presented) The method of claim 1, wherein the cost is obtained by reference to a topology database for determining a path between a source and a destination.

6-7. (Canceled)

8. (Original) The method of claim 1, wherein the data path comprises a label switched path (LSP) on a multiprotocol label switching (MPLS) network.

9-12. (Canceled)

13. (Previously Presented) A method of configuring a label switched path (LSP) through a multiprotocol label switching (MPLS) network having a predetermined priority, the method comprising:

selecting a network path in the MPLS having sufficient network resource available;

allocating the network resource to the LSP when the selected network path has an acceptable cost; and

taking network resource from a network path having a priority lower than the predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

14. (Previously Presented) The method of claim 13, wherein the cost is obtained by reference to a topology database for determining a path between a source and a destination.

15-19. (Canceled)

20. (Previously Presented) A computer program stored on a computer-readable medium for allocating a network resource to a data path having a predetermined priority, the computer program comprising instructions that cause a processor to:

select a network path having sufficient network resource available;

allocate the network resource to the data path when the selected network path has an acceptable cost; and

take network resource from a network path having a priority lower than the predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

21. (Original) The computer program of claim 20, wherein the network resource comprises bandwidth.

22-23. (Canceled)

24. (Previously Presented) The computer program of claim 20, wherein the cost is obtained by reference to a topology database for determining a path between a source and a destination.

25-26. (Canceled)

27. (Original) The computer program of claim 20, wherein the data path comprises a label switched path (LSP) on a multiprotocol label switching (MPLS) network.

28-31. (Canceled)

32. (Previously Presented) A computer program stored on a computer-readable medium for configuring a label switched path (LSP) through a multiprotocol label switching (MPLS) network having a predetermined priority, the computer program comprising instructions that cause a processor to:

select a network path in the MPLS having sufficient network resource available;

allocate the network resource to the LSP when the selected network path has an acceptable cost; and

take network resource from a network path having a priority lower than the

predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

33. (Previously Presented) The computer program of claim 32, wherein the cost is obtained by reference to a topology database for determining a path between a source and a destination.

34-38. (Canceled)

39. (Previously Presented) An apparatus for allocating a network resource to a data path having a predetermined priority, the apparatus comprising circuitry which:

selects a network path having sufficient network resource available;

allocates the network resource to the data path when the selected network path has an acceptable cost; and

takes network resource from a network path having a priority lower than the predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

40. (Original) The apparatus of claim 39, wherein the network resource comprises bandwidth.

41-42. (Canceled)

43. (Previously Presented) The apparatus of claim 39, wherein the ~~number of hops~~ cost is obtained by reference to a topology database for determining a path between the source and the destination.

44-45. (Canceled)

46. (Original) The apparatus of claim 39, wherein the data path comprises a label switched path (LSP) on a multiprotocol label switching (MPLS) network.

47-50. (Canceled)

51. (Original) The apparatus of claim 39, wherein the circuitry comprises a memory which stores computer instructions and a processor which executes the computer instructions.

52. (Original) The apparatus of claim 39, wherein the circuitry comprises one or more of an integrated circuit and programmable logic.

53. (Previously Presented) An apparatus for configuring a label switched path (LSP) through a multiprotocol label switching (MPLS) network having a predetermined priority, the apparatus comprising circuitry which:

selects a network path in the MPLS having sufficient network resource available;

allocates the network resource to the LSP when the selected network path has an acceptable cost; and

takes network resource from a network path having a priority lower than the predetermined priority when no network path having sufficient network resource and acceptable cost is selected.

54. (Previously Presented) The apparatus of claim 53, wherein the cost is obtained by reference to a topology database for determining a path between a source and a destination.

55-59. (Canceled)